

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

CHAMBERS OF
JOSEPH J. FARNAN, JR.
JUDGE

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September 6, 2007

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RE: Power Integrations, Inc. v. Fairchild Semiconductor International, et al.,
Civil Action No. 04-1371-JJF

Dear Counsel:

The Court has received the parties letters (D.I. 514, 516) concerning the impact of the Federal Circuit's recent decision, In re Seagate Technology, LLC, Misc. Docket No. 830 (Fed. Cir. Aug. 20, 2007), on the upcoming invalidity trial scheduled for September 17, 2007. The Court has reviewed the decision in Seagate and concludes that it does not undermine the Court's decision to bifurcate the issues of infringement and willfulness from invalidity. The focus of the Seagate decision is the standard to be applied to the question of willfulness and the scope of the waiver of the attorney-client privilege and work product doctrine when advice of counsel is asserted. The Court does not read Seagate to effectuate a change in the trial court's discretion to manage a trial utilizing such tools as bifurcation. Accordingly, the Court will not disturb the trial date for the invalidity trial.

Sincerely,



JOSEPH J. FARNAN, JR.

JJFjr: rjp

cc: Clerk, U.S. District Court